BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2013-___-C

IN RE:	Petition of the Office of Regulatory Staff For the Commission to Order a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity For Certain Providers of the Telecommunications Services Should Not Be)) PETITION OF THE OFFICE) OF REGULATORY STAFF) FOR A RULE TO SHOW) CAUSE
	Revoked)

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission that:

- 1. The Public Service Commission of South Carolina ("the Commission") is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina. Further, the Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. §58-9-10 et seq. (Supp. 2011).
- 2. The Office of Regulatory Staff ("ORS") is charged with the duty to protect the public interest pursuant to S.C. Code Ann. §58-4-10, et seq. (Supp. 2011).
- 3. The Telecommunications Companies ("Companies") listed in Exhibit A, Exhibit B and Exhibit C are certificated "telephone utilities" as defined in S.C. Code Ann. §58-9-10(6) (1976) in that they are persons or corporations, their lessees, assignees, trustees, receivers or other successors in interest owning or operating in this State equipment or facilities for the transmission of intelligence by telephone for hire, including all things incident thereto and related to the operation of telephones.
- 4. The Companies listed in Exhibit A, Exhibit B and Exhibit C are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-9-710 et seq. (Supp. 2011). Further, they have

submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A, Exhibit B and Exhibit C.

- 5. The Telecommunications Companies listed in Exhibit A, Exhibit B and Exhibit C, upon receiving their Certificates of Public Convenience and Necessity, were found to possess the technical, financial, and managerial resources sufficient to provide the services requested. S.C. Code Ann. §58-9-280(B)(1) (Supp. 2011).
- 6. Pursuant to S.C. Code Ann. §58-3-100, 58-3-540; 58-4-60; and 58-9-370 (Supp. 2011), the public utilities subject to the Commission's jurisdiction are assessed by the Department of Revenue based on amounts that are certified by the Commission, the review committee, and ORS to be assessed. ORS may require reports and special reports concerning any matter about which the ORS is authorized to inquire or keep itself informed or which it is required to enforce.
- 7. The Companies listed in Exhibit A have failed to submit the requisite gross receipts filings. The companies are required to submit their Gross Receipts form on August 31st annually. ORS has made attempts to contact these companies to obtain the gross receipts forms.
- 8. ORS has the responsibility to ensure that telephone utilities are filing certain reports. "Subject to the approval of the Commission, the Office of Regulatory Staff may require any telephone utility to file annual reports in such form and of such content as the Office of Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or keep itself informed or which it is required to enforce." S.C. Code Ann. §58-9-370 (A) (Supp. 2011)
- 9. The Companies listed in Exhibit B have failed to submit the requisite 2012 Annual Report that was due on April 1st. ORS has made attempts to contact these companies to obtain the Annual Report.
- 10. The Universal Service Fund ("USF") is administered by the ORS under guidelines adopted by the Commission. S.C. Code Ann. §58-9-280 (E) (Supp. 2011)

- 11. The Commission USF guidelines approved in Order No. 2011-996, requires each carrier to file on an annual basis the information necessary to allow ORS to calculate the carrier's contribution. The annual filing referred to as the Universal Service Fund Contribution Worksheet ("USF Report").
- 12. The Companies listed in Exhibit C have failed to submit the requisite USF Report that was due on July 1st. ORS has made attempts to contact these companies to obtain the USF Report.
- 13. The information for the business entities listed in Exhibit A, Exhibit B and Exhibit C accurately reflects the information on file with the South Carolina Secretary of State. See Exhibit D, Affidavit of Dawn Hipp.
- order, decision, direction, rule or regulation made or prescribed by the Commission and every direction, rule or regulation made or prescribed by the Commission and every direction, rule or regulation made or prescribed by the Office of Regulatory Staff in the performance ... or in relation to any other matter in any way relating to or affecting the business of such telephone utility and shall do everything necessary or proper in order to secure compliance with and observance of every such order, decision, direction, rule or regulation by all of its officers, agents and employees." S.C. Code Ann. §58-9-390 (Supp. 2011).
- 14. Pursuant to S.C. Code Ann. §58-9-1120 (Supp. 2011), "the Commission may ... conduct such other hearings as may be required in the administration of the powers and duties conferred by Articles 1 through 13 of this chapter and by other laws relating to telephone utilities."

WHEREFORE, the ORS staff prays that the Honorable Commission:

- 1. Enter an order establishing a Rule to Show Cause instituting a formal proceeding against the persons and business entities listed in Exhibit A, Exhibit B and Exhibit C.
- 2. For the persons and business entities listed in Exhibit A, Exhibit B and Exhibit C, pursuant to 26 S.C. Code Regs. 103-830, cause a copy of this petition to be served upon such named respondents or other proper person or entity.

3. Require the parties to submit an Answer to this Petition within the deadlines prescribed

by the Commission's rules and regulations.

4. Schedule and conduct a formal administrative hearing to address disputed issues of fact

and law regarding the Certificate pursuant to S.C. Code Ann. §58-9-820 (Supp. 2011).

5. Find that the Companies listed in Exhibit A, Exhibit B and Exhibit C have not complied

with orders, decisions, directions, rules and regulations made or prescribed by the Commission.

6. Enter a final order canceling the Certificates held by the Companies listed in Exhibit A,

Exhibit B and Exhibit C.

7. Take other appropriate action which the Commission may deem necessary.

C Lessie Hammonds, Esquire

Office of Regulatory Staff 1401 Main Street, Suite 900

Columbia, South Carolina 29201

CLAR

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(803) 737-0800

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E-mail:

lhammon@regstaff.sc.gov

January 17, 2013 Columbia, South Carolina

Exhibit A

-C

Docket No. 2013-

Rule to Show Cause Telecommunications Carriers Non-Compliant with Gross Receipts Filing 2012

January 14, 2013

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order#	Date Certified	Secretary of State
1	ASP Communications		PSP	PO Box 581	Commerce	GA	30529	1985-150-C	2003-568	09/17/2003	Not Registered
	Cinemark USA, Inc.		PSP	3900 Dallas Pkwy, Suite500	Plano	TX		1985-150-C			Good Standing
3	Coin Phone Management Company		PSP	1846 Cargo Ct.	Louisville	KY		1985-150-C			Good Standing
	First American Telecommunications Cor	p	PSP	1800 W Broward Blvd	Ft. Lauderdale	FL	33312	1985-150-C	2005-85	02/22/2005	
	Garvin Oil Company, Inc.		PSP	PO Box 1249	Wagener	sc		1985-150-C			Good Standing
6	Global NAPS South Carolina, Inc.		IXC	9 Executive Park Dr	Billerica	МА	01862	2001-503-C	2002-258	04/10/2002	
7	Joseph M. Swails		PSP	609 N. Palmetto St	Summerville	sc		1985-150-C			Not Registered
8	Ljam, Inc.		PSP	1119 Charleston Hwy	West Columbia	SC		1985-150-C			Good Standing
	Managed Services, Inc.		CLEC	PO Box 1253	Bellmore	NY		2006-154-C		10/13/2006	
9			IXC					2006-154-C			Good Standing
	Melanie H. Hodgin		PSP	141 W Ballpark Rd	Gaston	sc		1985-150-C			Not Registered
11	Navigator Telecommunications, LLC		IXC	PO Box 13860	North Little Rock	AR	72113-0860				Good Standing
	Pac-West Telecomm, Inc.		CLEC	4550 Lakefield Bend	Berkeley Lake	GA		2010-411-C		04/26/2011	
12			IXC					2010-411-C			Good Standing
	Payphone Partners, Inc.		PSP	2520 Sardis Rd N, Ste 100	Charlotte	NC	28227	1985-150-C	1999-586	08/19/1999	Good Standing
	Point South Kamp Ground, Inc.		PSP	14 Campground Rd.	Yemassee	SC		1985-150-C			Good Standing
15	R & T Communications System		PSP	PO Box 897	Goose Creek	SC		1985-150-C		09/25/1987	
16	Samuel S. Graham	Graham Payphone Enterprises	PSP	2248 Canterbury Dr.	Kannapolis	NC	28081	1985-150-C	2002-568		Not Registered
	Snap Telecommunications, Inc.		CLEC	925 Wappoo Rd., Suite B	Charleston	SC	29407-5969	2004-320-C	2005-95	03/02/2005	
			IXC					2004-320-C		03/02/2005	
					1					,,	
17											Good Standing
	StarQuest Telecom	Future Phones	PSP	509 Knob Hill Ct. E	Evans	GA	30809	1985-150-C	1994-615	06/24/1994	11
18									2009-581	08/18/2009	Dissolved
19	Suntel		PSP	PO Box 397	Camden	SC	29020	1985-150-C	1990-509		Good Standing
20	Telecom Services of the Low Country, LL	.C	CLEC	2121 Boundary Street, Suite 108	Beaufort	SC	29906	2003-274-C	2004-403	08/26/2004	Good Standing
	Tennessee Telephone Service, LLC	Freedom Communications	IXC	220 Creekside Dr	Dickson	TN	37055-0000	2004-211-0	2004-567	11/15/2004	Good Standing
	IN BANKRUPTCY	USA, LLC			Dickson						Good Standing
22	World Communications Network, Inc.	L	PSP	228 Mill St	Taylors	SC	29687-2444	1985-150-C	1990-303	03/16/1990	Good Standing

Exhibit B

-C

Docket No. 2013-

Rule to Show Cause Telecommunications Carriers Non-Compliant with USF Report 2012

January 14, 2013

			Certificate							Date	Secretary of State
#	Company Name	DBA	Туре	Address	City	State	Zip	Docket #	Order#	Certified	Standing
	Association Administrators, Inc.	DX		180 E Main St, #200	Smithtown	NY	11787	1997-163-C	1997-893	10/17/1997	Good Standing
	Global NAPS South Carolina, Inc.			9 Executive Park Dr	Billerica	MA	01862	2001-503-C	2002-258	04/10/2002	Forfeiture
	Go-Solo Technologies, Inc.			10701 Danka Way North, Suite 100	St. Petersburg	FL	33716	2004-17-C	2004-427	09/09/2004	
	Legacy Long Distance International,	IX	(C	10833 Valley View Street Ste 150	Cypress	CA	90630	1999-179-C	1999-823	11/19/1999	
	Inc.										Forfeiture
	Managed Services, Inc.	C	LEC	PO Box 1253	Bellmore	NY	11710	2006-154-C	2006-602	10/13/2006	
5		DX						2006-154-C	2006-602	10/13/2006	Good Standing
	Navacore, LLC	C	LEC	PO Box 3413	Rock Hill	SC	29732	2006-111-C	2006-468	08/04/2006	
6		IX						2006-111-C	2006-468	08/04/2006	Good Standing
	Navigator Telecommunications, LLC	IX		PO Box 13860	North Little Rock	AR	72113-0860	1999-176-C	1999-572	08/11/1999	
	NobelTel, LLC	IX		3100 Cumberland Blvd, Ste 900	Atlanta_	GA	30339	2002-410-C	2003-428	06/25/2003	Good Standing
	Pac-West Telecomm, Inc.	C	LEC	4550 Lakefield Bend	Berkeley Lake	GA	30096	2010-411-C	2011-318	04/26/2011	
9		IX						2010-411-C	2011-318	04/26/2011	Good Standing
	Quad Comm, LLC	IX		3562 SW 24th Ave Rd	Ocala	FL	34471	2011-344-C	2011-979	01/12/2012	Good Standing
	Snap Telecommunications, Inc.	C	LEC	925 Wappoo Rd., Suite B	Charleston	SC	29407-5969	2004-320-C	2005-95	03/02/2005	
		IX	(C				29407-5969	2004-320 - C	2005-95	03/02/2005	
11	<u></u>										Good Standing
12	STi Prepaid, LLC	IX	(C	1250 Broadway, 25th Fl	New York	NY	10001	2007-75-C	2007-498	07/31/2007	Good Standing
		Communications IX		220 Creekside Dr				2007-73-C 2004-211-C		11/15/2004	Good Standing
	IN BANKRUPTCY USA, LLC		· ·		0.000	'''	3,033-0000	2004-211-C	2004-307	11/13/2004	Good Standing

Exhibit C

Docket No. 2013-

2013- -C

Rule to Show Cause Telecommunications Carriers Non-Compliant with Annual Report 2012

January 14, 2013

#	Company Name	DBA	Certificate Type	Address	City	State	Zip	Docket #	Order#	Date Certified	Secretary of State
			IXC	PO Box 1253	Bellmore	NY	11710	2006-154-C	2006-602	10/13/2006	Good Standing
1_	Managed Services, Inc.		CLEC					2006-154-C		10/13/2006	
2	Tennessee Telephone Service, LLC		IXC	220 Creekside Dr	Dickson	TN	37055	2004-211-C	2004-567	11/15/04	Good Standing
	IN BANKRUPTCY									,,,	

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2013- -C

January 14, 2013

IN RE: Petition of the Office of Regulatory)	
Staff for Commission to Order a)	
Rule to Show Cause as to Why The)	
Certificates of Public Convenience)	AFFIDAVIT OF
and Necessity for Certain)	DAWN M. HIPP
Providers of Telecommunications)	
Service Should not be Revoked)	

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Dawn Hipp and I am employed by the Office of Regulatory Staff ("ORS") as the Director of Telecommunications, Transportation, Water and Wastewater.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) It is the regular business practice of ORS to maintain certain business records required to be filed by providers of telecommunications service that are subject to the jurisdiction of the PSC.
- 4) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 5) On January 14, 2013, I examined the business records on file with ORS.
- As a result of that examination, I attest that the Gross Receipts Forms, Annual Report Forms or USF Reports have not been filed with ORS by the following providers of telecommunications service as of January 14, 2013: (Exhibit A, Exhibit B, and Exhibit C)

I and/or personnel under my direction researched the South Carolina Secretary of State's website in order to determine the corporate status of the business entities listed in Exhibit A, Exhibit B and Exhibit C of this petition. I attest that, to the best of my knowledge, the corporate statuses of the business entities listed in Exhibit A, Exhibit B and Exhibit C are accurate.

AND FURTHER THE AFFIANT SAYETH NOT.

DAWN M. HIPP

Director

Office of Regulatory Staff 1401 Main Street, Suite 900

Columbia, South Carolina 29201

Sworn and subscribed before me

this 17th day of JANUARY, 2013

Notary Public for South Carolina My Commission Expires:

Notary Public, State of South Carolina

My Commission Expires 8/1/2022

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2013- -C

IN RE:	Petition of the Office of Regulatory Staff For the Commission to Order a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity For Cortain		CERTIFICATE OF SERVICE
	Convenience and Necessity For Certain Providers of the Telecommunications Services Should Not Be Revoked)	SERVICE

This is to certify that I, Faith E. Shehane, have this date served one (1) copy of the **PETITION**FOR RULE TO SHOW CAUSE in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

PLEASE SEE NEXT PAGE FOR LIST OF PARTIES SERVED

Faith E. Shehane

January 17, 2013 Columbia, South Carolina ASP Communications PO Box 581 Commerce, GA 30529

Cinemark USA, Inc. 3900 Dallas Pkwy. - Suite 500 Plano, TX 75093

Coin Phone Management Company 1846 Cargo Court Louisville, KY 40299

First American Telecommunication Corporation 1800 W. Broward Blvd.

Ft. Lauderdale, FL 33312

Garvin Oil Company, Inc. PO Box 1249 Wagener, SC 29164-1249

Joseph M. Swails 609 N Palmetto St Summerville, SC 29483

Ljam, Inc. 1119 Charleston Hwy West Columbia, SC 29169

Melanie H. Hodgin 141 W Ballpark Rd Gaston, SC 29053

Payphone Partners, Inc. 2520 Sardis Rd N, Ste 100 Charlotte, NC 28227

Point South Kamp Ground, Inc. 14 Campground Rd. Yemassee, SC 29945

R & T Communications System PO Box 897 Goose Creek, SC 29445 Association Administrators, Inc. 180 E Main St, #200 Smithtown, NY 11787

Global NAPS South Carolina, Inc. 9 Executive Park Dr Billerica, MA 1862

Go-Solo Technologies, Inc. 10701 Danka Way North, Suite 100 St. Petersburg FL 33716

Legacy Long Distance International, Inc. 10833 Valley View Street Ste 150 Cypress, CA 90630

Managed Services, Inc. PO Box 1253
Bellmore, NY 11710

Navacore, LLC PO Box 3413 Rock Hill, SC 29732

Navigator Telecommunications, LLC PO Box 13860 North Little Rock, AR 72113-0860

NobelTel, LLC 3100 Cumberland Blvd, Ste 900 Atlanta, GA 30339

Pac-West Telecomm, Inc. 4550 Lakefield Bend Berkeley Lake, GA 30096

Quad Comm, LLC 3562 SW 24th Ave Rd Ocala, FL 34471

Snap Telecommunications, Inc. 925 Wappoo Rd., Suite B Charleston, SC 29407-5969

Samuel S. Graham d/b/a Graham Payphone Enterprises 2248 Canterbury Dr. Kannapolis, NC 28081

StarQuest Telecom, Inc. d/b/a Future Phones 509 Knob Hill Ct. E Evans GA30809

Suntel PO Box 397 Camden, SC 29020

World Communications Network, Inc. 228 Mill St. Taylors, SC 29687-2444

STi Prepaid, LLC 1250 Broadway, 25th Fl New York, NY 10001

Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC 220 Creekside Dr Dickson, TN 37055

Telecom Services of the Low Country, LLC 2121 Boundary Street, Suite 108 Beaufort, SC 29906